### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Nina Rautonen et al.

Examiner: Unknown

**Serial No:** 10/663,562

Art Unit: 1641

Filed: September 16, 2003

**Docket**: 17031

For: NOVEL USE OF CARBOHYDRATES

**Dated**: April 27, 2005

AND COMPOSITIONS

**Confirmation No: 2985** 

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

#### PETITION UNDER 37 C.F.R. §1.181

Sir:

Applicants petition for revival of the above-identified application unavoidably abandoned for failure to respond to a Notice of Incomplete Nonprovisional Application filed under 37 C.F.R. §1.53(b). The failure to respond to that Notice effectuated the abandonment of the application as a matter of law.

Applicants hereby petition for revival of the above-identified application with the above filing date. To that end applicants submit:

## **CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450, on April 27, 2005.

Dated: April 27, 2005

Marvin Bressler

Applicants submit herewith the \$130.00 fee associated with the filing of the instant Petition under 37 C.F.R. §1.117(h). Applicants request that this fee be refunded in view of applicants' right to the requested original filing date.

Respectfully submitted,

Marvin Bressler

Registration No. 25,132

Attorney for Applicants

Scully, Scott, Murphy & Presser 400 Garden City Plaza, Suite 300 Garden City, New York 11530 516-742-4343

MB:gc



Docket No. 17031

# Declaration and Power of Attorney For Patent Application

## **English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

which a patent is sough NOVEL USE OF CARBO	nt on the invention entitle HYDRATES AND COMPO		
the specification of whi	ch		
(check one)	·		
☐ is attached hereto.			
🛮 was filed on Septer	mber 16, 2003	as United States Application No	or PCT International
Application Number	·		
and was amended	on	·	
		(if applicable)	
<del>-</del>	-	stand the contents of the above dment referred to above.	identified specification,
1.56, including for co	ntinuation-in-part applice of the prior application	which is material to patentability ations, material information when and the national or PCT internation	ich became available
application(s) for pater application which desi- below and have also inventor's or plant bree	nt, or plant breeder's rig gnated at least one co identified below, by c	35 U.S.C. 119(a)-(d) or (f), or ghts certificate(s), or 365(a) of untry other than the United Stahecking the box, any foreign s), or any PCT international appority is claimed.	any PCT International ates of America, listed application for patent,
Prior Foreign Application	on(s)		Priority Not Claimed
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(Number)	(Country)	(Day/Month/Year Filed)	
(Number)	(Country)	(Day/Month/Year Filed)	J

application(s) listed below:		_
(Application Serial No.)	(Filing Date)	
,		
(Application Serial No.)	(Filing Date)	<del>-</del>
(Application Serial No.)	(Filing Date)	-
Section 365(c) of any PCT Internal	tional application designating	
insofar as the subject matter of ex United States or PCT International U.S.C. Section 112, I acknowledge Office all information known to m	ach of the claims of this ap application in the manner to the duty to disclose to the to be material to patental all between the filing date of	g the United States, listed below and, polication is not disclosed in the prior provided by the first paragraph of 35 United States Patent and Trademark pility as defined in Title 37, C. F. R., if the prior application and the national
insofar as the subject matter of ex United States or PCT International U.S.C. Section 112, I acknowledge Office all information known to m Section 1.56 which became available	ach of the claims of this ap application in the manner to the duty to disclose to the to be material to patental all between the filing date of	pplication is not disclosed in the prior provided by the first paragraph of 35 United States Patent and Trademark pility as defined in Title 37, C. F. R.
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Frank S. DiGiglio; Reg. No. 31,346 Leopold Pressser; Reg. No. 19,827 William C. Roch; Reg. No. 24,972 Edward W. Grolz; Reg. No. 33,705 Paul J. Esatto, Jr.; Reg. No. 30,749 John S. Sensny; Reg. No. 28,757 Mark J. Cohen; Reg. No. 32,211 Steven Fischman; Reg. No. 34,594 Peter I. Bernstein; Reg. No. 43,497 Thomas Spinelli, Reg. No. 39,533

Send Correspondence to: Leopold Presser

SCULLY, SCOTT, MURPHY & PRESSER

400 Garden City Plaza Garden City, NY 11530

Direct Telephone Calls to: (name and telephone number)

Leopold Presser (516) 742-4343

Full name of sole or first inventor Nina Rautonen	
Sole or first inventor's signature  Rose	Date 26.0,2003
Residence   Säynäväkuja 4 B 8, FIN-02170 Helsinki, Finland	
Citizenshio l Finnish	
Post Office Address Same as above	
-	

Full name of second inventor, if any Juha Apajalahti	NATIONAL AND ADDRESS OF THE PARTY OF THE PAR
Second inventor's signature	26 9. 200 S
Residence   Kytöniityntie 24 C, FIN-00670 Helsinki, Finland	
Citizenship   Finnish	
Post Office Address Same as above	

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Eull name of third inventor, if any Anu Kettunen	
Third inventor's signature and Rellunen	29.9.03
Residence l Jukolanahde 4 A 1, FIN-02180 Espoo, Finland	
Citizenshio   Finnish	
Post Office Address Same as above	
Full name of fourth inventor, if any Osmo Siikanen	
Fourth inventor's signature  Om  S	26.9.03
Residence l Tarhurinkuja 5-7 C 11, FIN-08700 Virkkala, Finland	
Citizenship I Finnish	
Post Office Address   Same as above	
Full name of fifth Inventor, if any	
Fifth inventor's signature	Date
Residence I	
Citizenship	
Post Office Address	
Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
,	



## NOVEL USE OF CARBOHYDRATES AND COMPOSITIONS

#### ABSTRACT OF THE DISCLOSURE

A process for preventing colon fermentation imbalance by the administration of a composition of a slowly fermented carbohydrate complex oligomer or polymer. A method of preparing the composition by nutritionally, nutraceutically and/or pharmacologically formulating the carbohydrate oligomer or polymer is an aspect of this process.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s):** Nina Rautonen et al.

Examiner: Unknown

**Serial No:** 10/663,562

Art Unit: 1641

Filed: September 16, 2003

**Docket**: 17031

For: NOVEL USE OF CARBOHYDRATES

**Dated**: April 27, 2005

AND COMPOSITIONS

Confirmation No: 2985

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

#### PETITION UNDER 37 C.F.R. §1.53(e)

Sir:

Applicants petition to obtain the original filing date of September 16, 2003 for the above-identified application.

Applicants submit that the drawings, denoted as missing in the Notice of Incomplete Nonprovisional Application and mentioned in the specification, are unnecessary for an understanding of the subject matter sought to be patented.

## **CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450, on April 27, 2005.

Dated: April 27, 2005

05/02/2005 MAHMED1 00000061 10663562

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- (1) a reply and/or issue fee in the form of
  - (a) an executed Declaration;
  - (b) an Abstract of the Disclosure;
  - (c) a Petition in Support of the Proposition that drawings are not required; and
  - (d) a showing that the failure to reply to the Notice of Incomplete

    Nonprovisional Application was unavoidable.

Applicants respectfully submit that no fee is required to accompany the instant Petition. However, in the event that a fee is required to accompany the instant Petition, such fee is authorized as set forth on the accompanying transmittal form.

Respectfully submitted,

um Brassle

Marvin Bressler

Registration No. 25,132

Attorney for Applicants

Scully, Scott, Murphy & Presser 400 Garden City Plaza, Suite 300 Garden City, New York 11530 516-742-4343

MB:gc Enclosures

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Nina Rautonen et al.

Examiner: Unknown

Serial No: 10/663,562

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Filed: September 16, 2003

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For: NOVEL USE OF CARBOHYDRATES

**Dated**: April 27, 2005

AND COMPOSITIONS

Confirmation No: 2985

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

#### STATEMENT OF PATENT ATTORNEY PROSECUTING APPLICATION

Sir:

The undersigned attorney is prosecuting the above-identified application as evidenced by the filing of an Information Disclosure Statement mailed to the USPTO on November 13, 2003. A copy of the Information Disclosure Statement (Exhibit A), as well as a postcard acknowledgement from the USPTO on November 17, 2003 of its receipt (Exhibit B), is enclosed.

The firm with which the undersigned is associated never received the Notice Of Incomplete Nonprovisional Application Filed under 37 CFR 1.53(b), mailed by the

### **CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450, on April 27, 2005.

Dated: April 27, 2005

Marvin Bressler

USPTO on December 10, 2003 (Exhibit C). Although that Notice, which applicants obtained from the Patent Application Information Retrieval (PAIR) System, was mailed to our office, that Notice was never received at Scully, Scott, Murphy & Presser.

Applicants enclose herewith a copy of computerized docketing sheet (Exhibit D) for the subject application. It is noted that the undersigned attorney's initials are included therein. The second attorney noted on the computerized sheet is Frank DiGiglio whose initials are FSD. Mr. DiGiglio is the partner in charge of the client commissioning our prosecution of the subject application.

As noted on the docketing sheet, the application filing, the postcard receipt of the application filing, the filing of an Invention Disclosure Statement and the application status check are all noted by date. All but the status check were checked off as having taken place. The identification of the Notice on PAIR establishes that the status check occurred.

That there is no record of the receipt of a Notice of Incomplete Nonprovisional Application, the absence of which prompted the Notice of Abandonment, establishes that the Notice never arrived at Scully, Scott, Murphy & Presser. As such, the abandonment of the subject application was unavoidable.

Respectfully submitted,

Marvin Bressler

Registration No. 25,132

Attorney for Applicants

Scully, Scott, Murphy & Presser 400 Garden City Plaza, Suite 300 Garden City, New York 11530 516-742-4343

MB:gc Enclosures

TRA		F INFORMATION DISCLO Under 37 CFR 1.97(b) or 1.9		Docket 1703	
In Re Ap	pplication Of: N	Vina Rautonen et al.	APR 2	9 2005	
1	Serial No	Filing Date September 16, 2003	Examine Unassigned		o Art Unit
Title:	NOVEL USE OF	CARBOHYDRATES AND COM	POSITIONS		• •
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		37 (	CFR 1.97(b)		•
2.	The Information CFR 1.97(b), profinal Action und	re the mailing of a first Office Adiling of a request for continued a 37 ( Disclosure Statement submitted ovided that the Information Discler 37 CFR 1.113, a Notice of prosecution in the application, a	cxamination under 37 CFR 1 CFR 1.97(c) d herewith is being filed after closure Statement is filed by af Allowance under 37 CF	er the period specified before the mailing dat R 1.311, or an Actio	i in 37 te of a
· \.	☐ the statem	nent specified in 37 CFR 1.97(e)	;		,
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	☐ the fee se	t forth in 37 CFR 1.17(p).			
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Serial No. Filing Date Examiner Group Art Unit 10/663,562 September 16, 2003 Unassigned Unassigned  NOVEL USE OF CARBOHYDRATES AND COMPOSITIONS  Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))  A check in the amount of is attached.  The Director is hereby authorized to charge and credit Deposit Account No. 19-1013 as described below.  Credit any overpayment.  Charge the amount of Certificate of Transmission by Facsimile*  Certificate of Transmission by Facsimile*  Certificate of Transmission by Facsimile*  Certificate of Mailing by First Class Mail  I cently that this document and authorization to charge deposite accounts being facsimile transmitted to the United States Patent and Trademark. Office (F)  Otate)  Signature  Typed or Printed Name of Person Signing Certificate  Typed or Printed Name of Person Mailing Certifica				Docket No. 17031
Payment of Fee  (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))    A check in the amount of is attached.   The Director is hereby authorized to charge and credit Deposit Account No. 19-1013 as described below.   Charge the amount of   Credit any overpayment.   Charge the amount of   Credit any overpayment.   Charge any additional fee required.   Certificate of Transmission by Facsimile*    Certificate of Mailing by First Class Mail	In Re Application: N	ina Rautonen et al.	AFR 2 9 2005	112 dd
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(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))  ☐ A check in the amount of is attached. ☑ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013 as described below. ☐ Charge the amount of ☑ Credit any overpayment. ☑ Charge any additional fee required. ☐ Certificate of Transmission by Facsimile*  ☐ Certificate of Transmission by Facsimile* ☐ Certificate of Mailing by First Class Mail ☐ Certificate of Transmission by Facsimile account is being facsimile transmitted to the United States ☐ Patent and Trademark Office (F: ☐ Typed or Printed Name of Person Signing Certificate ☐ Typed or Printed Name of Person Mailing Correspondence ☐ Marvin Bressler ☐ Typed or Printed Name of Person Mailing Certificate ☐ Typed or Printed Name of Person Mai			0	•
(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))  ☐ A check in the amount of is attached. ☑ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013 as described below. ☐ Charge the amount of ☑ Credit any overpayment. ☑ Charge any additional fee required. ☐ Certificate of Transmission by Facsimile*  ☐ Certificate of Transmission by Facsimile* ☐ Certificate of Mailing by First Class Mail ☐ Certificate of Transmission by Facsimile account is being facsimile transmitted to the United States ☐ Patent and Trademark Office (F: ☐ Typed or Printed Name of Person Signing Certificate ☐ Typed or Printed Name of Person Mailing Correspondence ☐ Marvin Bressler ☐ Typed or Printed Name of Person Mailing Certificate ☐ Typed or Printed Name of Person Mai				
□ A check in the amount of is attached. □ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013  as described below. □ Charge the amount of □ Credit any overpayment. □ Charge any additional fee required.  Certificate of Transmission by Facsimile*  Certificate of Transmission by Facsimile*  Certificate of Mailing by First Class Mail  □ Certify that this document and ele is being deposited account is being facsimile transmitted to the United States Patent and Trademark Office (F:  □ Signature □ Signature of Person Mailing Correspondence Marvin Bressler □ Typed or Printed Name of Person Signing Certificate  *This certificate may only be used if paying by  □ Signature □ Dated: November 13, 2003  Marvin Bressler Registration No. 25,132  SCULLY, SCOTT, MURPHY & PRESSER  400 Garden City Plaza  Garden City, New York 11530		Payr	ment of Fee	3
The Director is hereby authorized to charge and credit Deposit Account No. 19-1013  as described below.  ☐ Charge the amount of  ☒ Credit any overpayment.  ☒ Charge any additional fee required.  Certificate of Transmission by Facsimile*  Certificate of Transmission by Facsimile*  Certificate of Mailing by First Class Mail  ☐ Certificate of Mailing by First Class Mail  ☐ I certify that this document and ee is being deposited on 11/13/03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box  ☐ Typed or Printed Name of Person Signing Certificate  *This certificate may only be used if paying by  ☐ Typed or Printed Name of Person Mailing Certificate				p))
*This certificate may only be used if paying by deposit account.  Dated: November 13, 2003  Signature  Marvin Bressler  Registration No. 25,132  SCULLY, SCOTT, MURPHY & PRESSER  400 Garden City Plaza  Garden City, New York 11530	as described below Charge th Credit any Charge ar Certificate of T  Certify that this docume account is being facsim Patent and Trademark O  (Date)	e amount of voverpayment.  ny additional fee required.  ransmission by Facsimile*  Int and authorization to charge deposite the United States of the United	Certificate of Mailing by Find I certify that this document and fee on 11/13/03 with the Use as first class mail under 37 C addressed to the Commissioner for 1450, Alexandria, VA 22313-1450.  Signature of Person Mailing Marvin Bressler	is being deposited J.S. Postal Service F.R. 1.8 and is Patents, P.O. Box
Marvin Bressler Registration No. 25,132 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530	Typea or Printea Na	ime of Person Signing Certificate	Typed or Printed Name of Person M	Tailing Certificate
Registration No. 25,132 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530	Muin Br	andr	Dated: November 13, 2003	
SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530	Marvin Bressler			
(Under 37 CFR 1.97(b) or 1.97(c))  Payment of Fee  (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))  A check in the amount of is attached.  The Director is hereby authorized to charge and credit Deposit Account No. 19-1013  as described below.  Charge the amount of Credit any overpayment.  Charge any additional fee required.  Certificate of Transmission by Facsimile*  Settly that this document and authorization to charge deposit count ve being facsimile transmitted to the United States tand and Transmark Office (F.  Signature  Typed or Printed Name of Person Signing Certificate  Typed or Printed Name of Person Signing Certificate  Typed or Printed Name of Person Signing Certificate  Typed or Printed Name of Person Mailing Certificate	- ·			
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#### IN THE UNITED STATES PAPENT AND TRADEMARK OFFICE

Applicant(s): Nina Rautonen et al. Examiner: Unassigned

Serial No: 10/663,562 Art Unit: Unassigned

Filed: September 16, 2003 Docket: 17031

For: NOVEL USE OF CARBOHYDRATES Dated: Novem

AND COMPOSITIONS

Dated: November 13, 2003

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants, in order to meet their duty of disclosure, set forth at 37 C.F.R.

§1.56, submit herewith those references which they deem pertinent to the claims of the present application.

The pertinent prior art references are: Apajalahti et al., Appl. Environ.

Microbiol., 44, In Press (October 2003); Jie et al., Am. J. Clin. Nutr., 72, 1503-1509 (2000);

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Dated: November 13, 2003

Marvin Bressler

Endo et al., <u>Bifidobacteria Microflora</u>, <u>10</u> (1), 53-64 (1991); U.S. Patent Nos. 5, 437, 880; 5,439,893; and 5,827,526; Abstract of Japanese Patent Publication JP 2072842; European Patent 0 821 885; Chem. Abstr. 129: 239693; and Chem. Abstr. 134:100052.

To that end, applicants enclose completed Form PTO-1449 wherein these references are set forth. In accordance with the new rule set forth at 37 C.F.R. §1.98(a)(2)(i), applicants are not required to submit a copy of the above-cited U.S. patent references.

Applicants request that the Examiner initial these references on completed Form PTO-1449 and make them of record in the file of the present application.

The instant Information Disclosure Statement is filed within three months of the filing date of the subject application. As such, the instant Information Disclosure Statement is filed under 37 C.F.R. §1.97(b)(1). An Information Disclosure Statement filed under this rule need be accompanied by neither certification nor fee.

Respectfully submitted,

Marvin Bressler

Registration No. 25,131

Attorney for Applicants

Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 516-742-4343 MB:ml

					PE	Docket Number (Optional) 1703 l		Application Number 10	er /663,562	
	INFO	RM.	ATION DISCLOSURE (Use several sheets if necessa	CITATION		Applicant(s) Nina Rautonen et	al.			
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		5,43	39,893	08/08/95	Richards	et al.				
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			Apajalahti et al., Appl. E	nviron. Microbi	ol., 44, In P	ress (October 2003)				
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			Jie et al., Am. J. Clin. Nu	atr., 72, 1503-150	9 (2000)					
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		Docket Number (Optional)	Application Number
		17031	
INFOR	MATION DISCLOSURE CITATION (Use several sheets if necessary)	Applicant(s) Nina Rautonen et al.	
		Filing Date	
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*EXAMINER INITIAL		•	
	Endo et al., Bifidobacteria Microflora, 10 (1), 53-64	(1991)	
	Abstract of Japanese Patent Publication JP 2072842		
	Chara Abata 120, 220602		
	INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)  Applicant(s) Nina Rautonen et al. Filing Date September 16, 2003  OTHER DOCUMENTS (Including Author, Title, Date, Fertinent Pages, Etc.)  Endo et al., Bifidobacteria Microflora, 10 (1), 53-64 (1991)  Abstract of Japanese Patent Publication JP 2072842  Chem. Abstr. 129: 239693  Chem. Abstr. 134:100052		
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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Information Disclosure Statement Transmittal in duplicate

2. Information Disclosure Statement

3. PTO Form-1449

4. References

5. Certificate of Mail

**Applicants** 

Nina Rautonen, et al.

Serial No.:

10/663,562

Filed: September 16, 2003

For: NOVEL USE OF CARBOHYDRATES AND COMPOSITIONS

Docket: 17031

Date: November 13, 2003

MB:ml

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Information Disclosure Statement Transmittal in duplicate

2. Information Disclosure Statement

3. PTO Form-1449

4. References

5. Certificate of Mail

Nina Rautonen, et al.

Serial No.:

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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1409 Alexandria, Vognus 22313-1450

APPLICATION NUMBER

FILING OR 371 (c) DATE

MED APPLICANT

ATTORNEY DOCKET NUMBER

10/663,562

**400 GARDEN CITY PLAZA** 

**GARDEN CITY, NY 11530** 

SCULLY SCOTT MURPHY & PRESSER, PC

09/16/2003

Nina Rautonen

17031

**CONFIRMATION NO. 2985** 

FORMALITIES LETTER

OC000000011454774\*

Date Mailed: 12/10/2003

#### NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within TWO MONTHS of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

 An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

## P.O. Box 1450 Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

# **Country Application**

Tuesday, April 05, 2005

Case Number: 17031

Country: US

SubCase:

Docket Number: 17031

United States of America

Filing Date: 16-Sep-2003

Matter Number: 02103

Case Type: ORD

☐ Terminal Disclaimer

Client: 1094

Borenius & Co. Oy. AB

Client Reference #: A2574P-US

**Application Status: Pending** 

**Application Number: 10/663,562** 

**Publication Date:** 

Patent Number:

**Issue Date:** 

Parent/PCT Number:

**Publication Number:** 

Parent/PCT Date:

**Parent Patent Number:** 

Parent Issue Date:

Tax Schedule: LE

**Expiration Date:** 

Confirmation #:

PTA: 0

Agent:

**Agent Reference No.:** 

Owner:

Attorney: MB

**FSD** 

Remarks: Corresponding to Finnish Application No FI200321660 Filed September 17,

#### **List Of Actions**

Action(s) Due	Due Date		Action Taken	Taken
Application to be Filed	17-Sep-2003	Due Date	16-Sep-2003	<b>✓</b>
Postcard Received	07-Oct-2003	Due Date	29-Sep-2003	V
Disclosure Statement c/u	16-Nov-2003	Due Date	13-Nov-2003	V
Information Disclosure Stmnt	16-Dec-2003	Due Date	13-Nov-2003	V
Application Status Check	16-Mar-2005	Due Date		

User ID: mishelle

Date Created: 12-Sep-2003

Last Update: 29-Sep-2003